

# EXHIBIT 1

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES<sup>1</sup>**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
2/9/2022	Discuss Asset review; analysis to background documents.	Pearce, John M.	0.5	\$210.00
2/14/2022	Review background materials; go over next steps with client.	Pearce, John M.	0.6	\$252.00
2/15/2022	Call with client re: results of search and recommendation.	Pearce, John M.	0.2	\$84.00
2/16/2022	Review additional materials; work on draft of Letter.	Pearce, John M.	0.6	\$252.00
2/22/2022	Revise demand letter; revise supporting materials.	Pearce, John M.	0.4	\$168.00
2/23/2022	Call with client; follow up discussions re: letter of demand.	Pearce, John M.	0.4	\$168.00
3/8/2022	Review Lease; analysis to casualty aspects; send email to client.	Pearce, John M.	0.6	\$252.00
3/9/2022	Complete review of all background materials; send update to client.	Pearce, John M.	0.7	\$294.00
3/14/2022	Update demand letter.	Pearce, John M.	0.7	\$294.00
3/16/2022	Revise letter; review materials.	Pearce, John M.	0.4	\$168.00
3/24/2022	Finalize and send demand letter; notice to draft re: casualty liability.	Pearce, John M.	0.2	\$84.00
5/12/2022	Review materials; review letter; draft email to client.	Pearce, John M.	0.3	\$126.00

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<sup>1</sup> Block billing is sufficient if the description of the work performed is adequate. *See The N.E. Ohio Coalition for the Homeless v. Husted*, 831 F.3d 686, 705 n. 7 (6th Cir. 2016); *see also Smith v. Serv. Master Corp.*, 592 Fed.Appx. 363, 371 (6th Cir. 2014); *Pittsburgh & Conneaut Dock Co. v. Dir., Office of Workers' Comp. Programs*, 473 F.3d 253, 273 (6th Cir. 2007) (Moore, J., concurring in part and dissenting in part) (“[Plaintiff] has cited no authority to support its argument that the use of block billing is contrary to the award of a reasonable attorney fee ... and, in fact, our sister circuits have rejected block-billing objections to fee awards in a number of contexts.”).

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5/16/2022	Review background information; confer with client re: alternatives.	Pearce, John M.	0.4	\$168.00
5/24/2022	Review file materials and go over next steps.	Pearce, John M.	0.5	\$210.00
6/14/2022	Analysis to materials and update client.	Pearce, John M.	0.3	\$126.00
6/15/2022	Review materials re: defaults; update report to client re: damages and liability.	Pearce, John M.	0.8	\$336.00
7/7/2022	Prepare and send Kaish update re: collection amounts.	Pearce, John M.	0.5	\$210.00
7/8/2022	Status updated follow-up and review additional materials.	Pearce, John M.	0.4	\$168.00
7/21/2022	Review materials from client and prepare update; work on refreshed demand.	Pearce, John M.	1.8	\$756.00
7/25/2022	Draft Final Demand.	Pearce, John M.	0.9	\$378.00
7/29/2022	Review additional materials re: background damages.	Pearce, John M.	0.2	\$84.00
8/2/2022	Negotiate with Kaish; go over next steps.	Pearce, John M.	0.4	\$168.00
8/15/2022	Confer with Bhamani dealer; review background materials; confer with client.	Pearce, John M.	0.6	\$252.00
8/22/2022	Review settlement dialog from Dealer; email to client.	Pearce, John M.	0.4	\$168.00
8/25/2022	Conference and work on summary to client on Settlement options.	Pearce, John M.	0.6	\$252.00
8/29/2022	Work on Kaish summary; confer Bhamani; review emails.	Pearce, John M.	0.5	\$210.00

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9/9/2022	Analysis to materials and follow-up on Settlement components.	Pearce, John M.	0.2	\$84.00
10/4/2022	Review Topham materials and email Dealer.	Pearce, John M.	0.3	\$126.00
10/6/2022	Analysis to remaining issues and go over next steps.	Pearce, John M.	0.2	\$84.00
10/19/2022	Confer with Dealer, review additional Dealer supplied information; email with recommendations to client.	Pearce, John M.	0.8	\$336.00
10/20/2022	Complete and send update with options.	Pearce, John M.	0.4	\$168.00
10/26/2022	Draft and send further update and recommendations to client.	Pearce, John M.	0.4	\$168.00
11/2/2022	Prepare and send note to client re: options and open issues.	Pearce, John M.	0.2	\$92.00
11/30/2022	Analysis to information provided by client re: open amounts.	Pearce, John M.	0.2	\$92.00
1/9/2023	Review extensive material re: updating demand.	Pearce, John M.	0.4	\$184.00
1/12/2023	Review and analyze all contracts and assignments related to Dealer's locations 3781 as well as pertinent correspondence, notices of default and summaries of amounts owed; evaluate preliminary strategy regarding specific claims to allege and necessary parties to litigation regarding store 3781.	Marconi, Andrea L.	1.9	\$874
1/21/2023	Review and analyze all agreements and pertinent correspondence and other documents with respect to Ringgold and Lee Highway locations, evaluate potential legal claims involving all three of dealer's locations, including assessment of jurisdictional issues, and identify additional factual information and documentation needed to support claims and	Marconi, Andrea L.	3.8	\$1,748

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	commencing litigation, and prepare summary and analysis memorandum outlining potential claims and related considerations.			
1/23/2023	Review material from U. Tiffany re: A/R.	Pearce, John M.	0.4	\$184.00
1/25/2023	Gather materials and review prior accounting and related emails.	Pearce, John M.	0.4	\$184.00
1/27/2023	Call with Messrs. Coleman and Sweetnam and J. Pearce to discuss background facts of dispute and legal strategy for proceeding with default notice and potential litigation thereafter.	Marconi, Andrea L.	0.4	\$184.00
1/27/2023	Gather background materials for sending to local counsel	Pearce, John M.	0.4	\$184.00
2/8/2023	Review numerous communications with client group and develop strategy for further notice of default and termination needed on sites.	Marconi, Andrea L.	0.3	\$138.00
2/8/2023	Review pertinent agreements, correspondence, and other materials received thus far from client and evaluate and identify list of additional materials needed in order to prepare claims and further develop going forward strategy.	Marconi, Andrea L.	0.7	\$322.00
2/9/2023	Draft summary memorandum for client concerning analysis of contracts for sale and subleases and requirements to issue notice of default and termination and separate summary memorandum regarding rights and obligations concerning removal of tanks and entry of premises.	Marconi, Andrea L.	0.7	\$322.00
2/9/2023	Review and analyze master lease as well as all contracts for sale and subleases and develop related strategy and outline of letter positions on	Marconi, Andrea L.	1.8	\$828.00

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	default and termination in preparation for drafting default notices and proceeding with removal of tanks.			
2/9/2023	Work on gathering material for demand letter.	Pearce, John M.	0.6	\$276.00
2/13/2023	Review and analyze additional subleases, personal guarantees and accompanying documents received for sites #3773 and #3775 and further review master lease in preparation for drafting notice of default and then termination letter and discussing removal of tanks.	Marconi, Andrea L.	0.6	\$276.00
2/13/2023	Draft detailed notice of default and then termination letter for all three facilities and discussion of removing tanks.	Marconi, Andrea L.	2.8	\$1,288.00
2/14/2023	Review prior notices of default and send correspondence to client with same per request.	Marconi, Andrea L.	0.1	\$46.00
2/14/2023	Revise and supplement draft of detailed notice of default and then termination letter for all three facilities and discussion of removing tanks .	Marconi, Andrea L.	0.8	\$368.00
2/20/2023	Review and update comprehensive letter of demand.	Pearce, John M.	1.3	\$598.00
2/21/2023	Review revised damages information for each site provided by client; work on further strategy concerning tank removal and notice of default letter.	Marconi, Andrea L.	0.7	\$322.00
2/21/2023	Complete review to Letter; gather exhibit materials.	Pearce, John M.	0.6	\$276.00

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2/22/2023	Further review and analyze sublease, master lease and other pertinent documents concerning removal of tanks and review and revise and supplement notice of default and termination letter accordingly.	Marconi, Andrea L.	1.6	\$736.00
2/23/2023	Review and revisions to letter; call re: next steps.	Pearce, John M.	0.4	\$184.00
2/24/2023	Review additional information about Lee Highway location and when fuel drops ceased for use in updating notice of default letter.	Marconi, Andrea L.	0.1	\$46.00
2/24/2023	Review sublease provisions concerning timing of rights to enter premises, take possession and remove equipment after termination of sublease and draft summary of rights and obligations for client concerning same.	Marconi, Andrea L.	0.4	\$184.00
3/2/2023	Gather and package materials regarding demand.	Pearce, John M.	0.4	\$184.00
3/3/2023	Review and analyze recent communications with client group regarding taking possession of premises and tank removal and evaluate legal issues with respect same.	Marconi, Andrea L.	0.1	\$46.00
3/3/2023	Analysis regarding default and follow-up email and correspondence.	Pearce, John M.	0.6	\$276.00
3/6/2023	Review response from dealer to notice of default and termination notice and evaluate strategy for next steps in light of response received.	Marconi, Andrea L.	0.4	\$184.00
3/6/2023	Review and respond to information re: site status; review lengthy letter from Dealer and forward to client.	Pearce, John M.	0.9	\$414.00
3/7/2023	Follow up review; draft response to Dealer.	Pearce, John M.	0.9	\$414.00

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3/10/2023	Call re: status and next steps.	Pearce, John M.	0.4	\$184.00
3/15/2023	Review additional client correspondence regarding equipment removal and status of dealer environmental violations and penalties.	Marconi, Andrea L.	0.2	\$92.00
3/15/2023	Confer with J. Pearce and Mr. Sweetnam, Tennessee counsel, regarding strategy for proceeding with tank removal and recovery against dealer for extraction expenses as well as any pending environmental orders and penalties as well as strategy for prosecuting action against dealer for damages and potential claims.	Marconi, Andrea L.	0.5	\$230.00
3/15/2023	Review materials and draft and provide client update.	Pearce, John M.	0.6	\$276.00
3/22/2023	Analysis about Tanks and potential regulator obligations.	Pearce, John M.	0.6	\$276.00
4/3/2023	Review information on site 4213781 Tanks; go over next steps.	Pearce, John M.	0.4	\$184.00
4/5/2023	Analysis to additional documents and facts.	Pearce, John M.	0.6	\$276.00
4/6/2023	Complete review of tank related issues; call re: same.	Pearce, John M.	0.7	\$322.00
4/13/2023	Share and discuss materials; draft letter of demand.	Pearce, John M.	1.3	\$598.00
6/7/2023	Analysis to and update materials regarding matter, go over next steps associated with same.	Pearce, John M.	0.5	\$230.00
6/13/2023	Kaish sites update - go over next steps.	Pearce, John M.	0.5	\$230.00
7/12/2023	Review emails and forward update.	Pearce, John M.	0.3	\$138.00



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7/20/2023	Review materials and send Kaish update to client.	Pearce, John M.	0.3	\$138.00
7/21/2023	Update and emails re: status.	Pearce, John M.	0.4	\$184.00
7/25/2023	Review additional information and forward to client.	Pearce, John M.	0.5	\$230.00
8/24/2023	Review historic materials and participate in follow-up call with client regarding matter.	Pearce, John M.	0.5	\$230.00
10/9/2023	Review notice of default and termination for case background information and develop litigation plan moving forward.	Maasch, Lyndsey	0.8	\$288.00
10/9/2023	Review and analyze prior default and other pertinent correspondence and summary of breaches and agreements and evaluate next steps and strategy as well as additional information needed to prepare complaint for breaches of contract.	Marconi, Andrea L.	1.3	\$598.00
10/17/2023	Kaish - email to client; outline next steps.	Pearce, John M.	0.5	\$230.00
10/25/2023	Review subleases and dealer agreements; call with A. Marconi to discuss drafting complaint and research needed for same; research liquidated damages provisions being plead in the alternative and diversity of citizenship requirements for federal jurisdiction.	Maasch, Lyndsey	4.5	\$1,620.00
10/25/2023	Review and analyze pertinent agreements, prior correspondence and notices of default, and other relevant case file documents to prepare outline of claims for complaint, evaluate which agreements that need to be specifically addressed in complaint, evaluate proper parties as well as jurisdiction and venue issues, and assess additional information,	Marconi, Andrea L.	3.1	\$1,426.00

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	including regarding updated damages, additional background on breaches, and security available that is needed from client.			
10/26/2023	Continue review subleases, dealer agreements, master lease, assignments, and personal guaranties; begin draft of complaint.	Maasch, Lyndsey	4.8	\$1,728.00
10/27/2023	Work on draft of complaint.	Maasch, Lyndsey	2.7	\$972.00
10/27/2023	Review and evaluate additional facts and information, including documentation to support damages, needed for drafting complaint to obtain from client.	Marconi, Andrea L.	0.2	\$92.00
10/29/2023	Work on draft of complaint.	Maasch, Lyndsey	2.5	\$900.00
10/30/2023	Review applicable statutes and case law and evaluate sufficiency of diversity of citizenship and ability to satisfy other requirements for jurisdiction in federal court for filing of complaint.	Marconi, Andrea L.	0.4	\$184.00
10/30/2023	Revise and supplement draft complaint, including review of pertinent agreements, correspondence, and other case file documents as needed for same.	Marconi, Andrea L.	4.1	\$1,886.00
10/31/2023	Review A. Marconi revisions and comments to draft complaint and work on revisions to same.	Maasch, Lyndsey	1.9	\$684.00
11/1/2023	Revise draft of complaint.	Maasch, Lyndsey	1.4	\$504.00
11/1/2023	Further work on and refine draft complaint.	Marconi, Andrea L.	1.2	\$552.00

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11/2/2023	Prepare summary of additional factual information and documents, including to support damages, that are needed from client to finalize complaint; further work on revising and refining draft complaint and send to Mr. Sweetnam, Tennessee counsel, for review and comment to comport with local laws, rules and procedures.	Marconi, Andrea L.	1.2	\$552.00
11/3/2023	Research regarding enforceability contractual attorneys' fees provisions in Tennessee and potential statutes regarding same.	Maasch, Lyndsey	0.4	\$144.00
11/3/2023	Call with local counsel, Mr. Sweetnam, and J. Pearce to discuss draft complaint, including local Tennessee law and procedure issues as well as court jurisdictional requirements.	Marconi, Andrea L.	0.2	\$92.00
11/3/2023	Review research on ability to recover attorneys' fees in case under applicable Tennessee law.	Marconi, Andrea L.	0.3	\$138.00
11/3/2023	Further review local rules and requirements for pro hac vice admission and work on preparing motion for pro hac vice admission to be filed with complaint.	Marconi, Andrea L.	0.5	\$230.00
11/8/2023	Work on obtaining additional factual information, including with respect to damages, needed to finalize complaint.	Marconi, Andrea L.	0.2	\$92.00
11/8/2023	Review materials regarding Kaish and forward same.	Pearce, John M.	0.3	\$138.00
11/9/2023	Review additional fact information provided by client for use in complaint and supplement draft complaint to include same and modify damages requested per client request.	Marconi, Andrea L.	0.9	\$414.00

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11/17/2023	Go over next steps; emails to client.	Pearce, John M.	0.3	\$138.00
11/21/2023	Review and analyze updated rent and other account balance information provided by client and revise complaint to incorporate same as well as review unredacted sublease documents provided by client and revise complaint to incorporate rent amounts for locations.	Marconi, Andrea L.	0.4	\$184.00
11/21/2023	Review Complaint and revise.	Pearce, John M.	0.4	\$184.00
11/28/2023	Email correspondence regarding current addresses for Kaish and Bhamani; compile and organize exhibits to complaint for filing; review and confirm accuracy of exhibit citations within complaint.	Maasch, Lyndsey	1.8	\$648.00
11/28/2023	Correspond with local counsel concerning draft complaint including making sure that complaint comports with local court rules and procedures.	Marconi, Andrea L.	0.2	\$92.00
11/28/2023	Review information provided by client concerning costs for tank extraction and related work at all three sites for inclusion in complaint.	Marconi, Andrea L.	0.3	\$138.00
11/28/2023	Revise and supplement draft complaint to include additional factual information and damages information provided by client and globally review and refine draft prior to sending local counsel for final review to comport with local requirements and procedures.	Marconi, Andrea L.	1.1	\$506.00
11/29/2023	Determine statutory agent address for Kaish LLC for purposes of service; communicate with team regarding compilation and organization of exhibits to attach to complaint.	Maasch, Lyndsey	0.2	\$72.00

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11/29/2023	(Paralegal) Download exhibits to complaint from Box and organize for case management purposes.	Mendoza, Yvonne	0.3	\$72.00
11/29/2023	Review and exchange correspondence with Mr. Sweetnam concerning preparation of complaint for filing and pro hac vice motion issues.	Marconi, Andrea L.	0.2	\$92.00
11/29/2023	Further work on and refine draft complaint and ancillary documents to file with same including to finalize exhibits and references to same and review and finalize exhibits to complaint.	Marconi, Andrea L.	0.6	\$276.00
11/30/2023	Follow up correspondence with Mr. Sweetnam concerning complaint filing and pro hac vice motion issues.	Marconi, Andrea L.	0.1	\$46.00
12/1/2023	Correspond with Mr. Coleman concerning finalizing complaint and requirements for filing pro hac vice motion.	Marconi, Andrea L.	0.3	\$138.00
12/5/2023	Brief review of final complaint as filed.	Marconi, Andrea L.	0.2	\$92.00
12/6/2023	Brief research regarding Mac's parent corporation; email correspondence with local counsel regarding same and regarding waiver of jury trial; review subleases regarding waiver of jury trial.	Maasch, Lyndsey	1.5	\$540.00
12/6/2023	Work on pro hac vice and court required registration for case; work on corporate disclosure statement and obtaining information required for same.	Marconi, Andrea L.	0.4	\$184.00
12/13/2023	Correspond with local counsel regarding status of service on defendants.	Marconi, Andrea L.	0.1	\$46.00
12/15/2023	Review summonses filed regarding defendants.	Marconi, Andrea L.	0.1	\$46.00

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12/18/2023	Review summonses issued by court to defendants.	Marconi, Andrea L.	0.1	\$46.00
12/20/2023	Correspond with Mr. Sweetnam regarding status of service on Defendants.	Marconi, Andrea L.	0.1	\$46.00
1/5/2024	Correspond with Mr. Sweetnam to follow up on service efforts.	Marconi, Andrea L.	0.1	\$46.00
1/10/2024	Research into Mr. Bhamani's social media, LinkedIn, and other resources online in attempt to locate current photo for process server's use.	Maasch, Lyndsey	0.5	\$180.00
1/10/2024	Correspond with Mr. Sweetnam regarding status of service efforts and potential avoidance of service by defendants, including strategy for remedying same.	Marconi, Andrea L.	0.1	\$46.00
1/17/2024	Work on obtaining additional information about defendants for use in service in light of difficulties serving defendants, including review background reports on Kaish and Mr. Bhamani, and correspond with local counsel regarding same.	Marconi, Andrea L.	0.4	\$184.00
1/22/2024	Correspond with Mr. Sweetnam about status of service attempts and what appears to be defendant's avoiding service and evaluate strategy for next steps, including surveillance.	Marconi, Andrea L.	0.2	\$92.00
1/23/2024	Review additional information about defendants provided by client for use in service and correspond with Mr. Sweetnam regarding same.	Marconi, Andrea L.	0.5	\$230.00

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1/30/2024	Review stakeout information provided regarding defendant for purpose of effecting service.	Marconi, Andrea L.	0.1	\$46.00
2/7/2024	Work further on service of defendants and provide additional information for use in stakeout as well as assess potential available methods for alternative service and arguments to the court if needed for same.	Marconi, Andrea L.	0.2	\$92.00
2/9/2024	Correspond with Mr. Sweetnam regarding service update on defendants.	Marconi, Andrea L.	0.1	\$46.00
2/12/2024	Review videos provided by process server of service attempts and review local court rules regarding propriety of motion for alternative service in light of apparent attempts to evade service.	Marconi, Andrea L.	0.4	\$184.00
2/14/2024	Review applicable federal and Tennessee rules concerning service by certified mail and evaluate propriety of same and strategy for best ensuring proper service is documented in the event default judgment is pursued, including if defendant refuses the certified mailing, and review and exchange correspondence with local counsel regarding same to implement service by certified mail.	Marconi, Andrea L.	1.0	\$460.00
2/15/2024	Correspondence with Mr. Coleman regarding effecting service by certified mail.	Marconi, Andrea L.	0.1	\$46.00
2/16/2024	Correspondence with Mr. Coleman regarding new summons needed for entity defendant and additional service address needed.	Marconi, Andrea L.	0.1	\$46.00

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2/19/2024	Prepare service packets to serve both defendants by certified mail and review applicable service rules as part of same.	Marconi, Andrea L.	0.4	\$184.00
2/20/2024	Review summons issued for Kaish at registered business address and review and approve service packet to serve defendant by certified mail.	Marconi, Andrea L.	0.2	\$92.00
2/21/2024	Correspond with local counsel regarding service on defendants.	Marconi, Andrea L.	0.1	\$46.00
2/26/2024	Review status of service on defendants by certified mail; review applicable federal rules and prepare for filing motion to extend time for service in light of defendants' avoidance of service, including review and synthesize all emails and other documents and communications about service attempts to date for use in motion and process server affidavit, outline arguments for motion and correspond with local counsel regarding need for additional details about service attempts for motion and related motion issues.	Marconi, Andrea L.	0.7	\$322.00
2/27/2024	Review affidavit received from process server regarding server attempts (.1); review motion for extension of time to answer filed by Mr. Bhamani on behalf of Kaish and evaluate status of service to him personally and whether or not motion for extension of time needs to be filed for service of him personally in advance of next week's deadline (.4); draft detailed correspondence to Mr. Bhamani requesting confirmation of service and regarding request for extension of time to respond to complaint (.2).	Marconi, Andrea L.	0.7	\$322.00
2/28/2024	Work on response to defendants' request for extension of time to answer; review and exchange numerous correspondence with local	Marconi, Andrea L.	0.9	\$414.00



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	counsel Mr. Coleman to file affidavits of service with court and regarding acknowledgment of service from defendant and agreement to certain extension; review court's order on request for extension of time to answer by defendants.			
2/29/2024	Draft acknowledgment of service via certified mail for Kaish and Mr. Bhamani.	Maasch, Lyndsey	0.8	\$288.00
2/29/2024	Correspond further with local counsel regarding acknowledgment of service by defendants; review and revise acknowledgment and send to defendant along with notice from court of extension of time to answer.	Marconi, Andrea L.	0.3	\$138.00
4/4/2024	Update status; go over next steps re: counterclaim.	Pearce, John M.	0.4	\$184.00
4/8/2024	Review and analyze answer and counterclaim; draft brief analysis of potential argument for motion to dismiss versus answer to counterclaim.	Maasch, Lyndsey	0.8	\$288.00
4/8/2024	Briefly research background of defendants' new counsel.	Marconi, Andrea L.	0.2	\$92.00
4/8/2024	Review and analyze answer and counterclaims and corporate disclosure filed by defendants and evaluate preliminary strategy for response to same, including assess potential motion to dismiss arguments and draft detailed correspondence to legal team regarding recommended approach and next steps.	Marconi, Andrea L.	1.8	\$828.00
4/12/2024	Begin draft of motion to dismiss or for more definite statement regarding defendants' counterclaim.	Maasch, Lyndsey	2.6	\$936.00

**EXHIBIT 1****FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
4/13/2024	Work further on arguments for motion for more definite statement on counterclaim.	Marconi, Andrea L.	0.7	\$322.00
4/15/2024	Work on draft of motion for more definite statement and alternative motion to dismiss defendants' counterclaim.	Maasch, Lyndsey	4.1	\$1,476.00
4/16/2024	Work on motion for more definite statement or, in alternative, to dismiss defendants' counterclaim.	Maasch, Lyndsey	3.7	\$1,332.00
4/18/2024	Correspond with local counsel regarding trial date, new judge assignment and scheduling order entered by court.	Marconi, Andrea L.	0.1	\$46.00
4/18/2024	Review and analyze scheduling order entered by court.	Marconi, Andrea L.	0.2	\$92.00
4/19/2024	Review and revise draft of motion for more definite statement or to dismiss counterclaim.	Marconi, Andrea L.	0.9	\$414.00
4/20/2024	Revise draft of motion for more definite statement or to dismiss counterclaim.	Maasch, Lyndsey	0.7	\$252.00
4/22/2024	Revise draft of motion for more definite statement or to dismiss counterclaim, researching and adding in additional supporting case law citations.	Maasch, Lyndsey	2.1	\$756.00
4/22/2024	Final work on revisions to draft of motion for more definite statement or to dismiss counterclaim and review pertinent case law cited therein.	Marconi, Andrea L.	1.9	\$874.00
4/23/2024	Draft detailed email correspondence to opposing counsel summarizing deficiencies with counterclaim prior to filing motion for more definite	Maasch, Lyndsey	0.6	\$216.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
	statement and to dismiss, and requesting meet and confer regarding same.			
4/23/2024	(Paralegal) Prepare outline of pretrial deadlines identified in scheduling order.	Mendoza, Yvonne	2.4	\$576.00
4/23/2024	Correspondence with local counsel regarding process for meet and confer requirement prior to filing motion to dismiss.	Marconi, Andrea L.	0.1	\$46.00
4/23/2024	Review comments to draft motion from local counsel and revise to incorporate same where appropriate.	Marconi, Andrea L.	0.2	\$92.00
4/23/2024	Revise summary of motion to dismiss and for more definite statement arguments and draft correspondence to Kaish's counsel to include same and meet and confer on motion in advance of filing per court requirement.	Marconi, Andrea L.	0.6	\$276.00
4/24/2024	Correspond with defense counsel regarding stipulation to extend deadline to file amended counterclaim as part of meet and confer on motion to dismiss.	Marconi, Andrea L.	0.2	\$92.00
4/24/2024	Review and revise draft of stipulation for extension of time for plaintiff to respond to counterclaim and for defendant to file amended counterclaim.	Marconi, Andrea L.	0.4	\$184.00
4/25/2024	(Paralegal) Continue preparing outline of pretrial deadlines identified in scheduling order.	Mendoza, Yvonne	1.3	\$312.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
4/26/2024	Review court deadlines upon issuance of scheduling order and under rules to plan next steps in case.	Marconi, Andrea L.	0.2	\$92.00
4/26/2024	(Paralegal) Continue preparing and finalizing outline of pretrial deadlines identified in scheduling order.	Mendoza, Yvonne	1.7	\$408.00
4/29/2024	Review final summary of court deadlines upon scheduling order and under rules and review rules regarding holding of discovery conference as required by the court this week.	Marconi, Andrea L.	0.3	\$138.00
4/29/2024	Correspondence with defense counsel regarding required Rule 26(f) discovery planning conference.	Marconi, Andrea L.	0.7	\$322.00
4/30/2024	Further confer with defense counsel regarding upcoming Rule 26(f) discovery planning conference.	Marconi, Andrea L.	0.1	\$46.00
4/30/2024	Analysis to Kaish status and forward recommendations.	Pearce, John M.	0.5	\$230.00
5/2/2024	Attend teleconference meeting with opposing counsel to discuss Rule 26(f) discovery plan; briefly review requirements for same in rules in preparation for drafting corresponding report and initial disclosure statement.	Maasch, Lyndsey	0.8	\$288.00
5/2/2024	Prepare for and conduct Rule 26(f) discovery planning conference with defense counsel and work on initial disclosure strategy and outline for Rule 26(f) report after conference.	Marconi, Andrea L.	1.1	\$506.00
5/3/2024	Draft Rule 26(f) case management report.	Maasch, Lyndsey	1.5	\$540.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
5/3/2024	Confer with Mr. Coleman regarding outcome of Rule 26(f) discovery planning conference with defense counsel and next steps, including preparation of joint report and initial disclosure statement.	Marconi, Andrea L.	0.1	\$46.00
5/4/2024	Work further on draft of joint Rule 26(f) case management report.	Maasch, Lyndsey	1.5	\$540.00
5/6/2024	Revise draft of joint Rule 26(f) report; draft proposed Rule 502 order and corresponding joint motion for entry of same.	Maasch, Lyndsey	1.3	\$468.00
5/6/2024	Correspond with Kaish's counsel regarding review of draft Rule 26(f) joint report and joint motion and proposed Rule 502 order.	Marconi, Andrea L.	0.1	\$46.00
5/6/2024	Review and revise draft Rule 26(f) joint report prior to sending defense counsel for comment and review and revise joint motion and proposed Rule 502 order for filing with court.	Marconi, Andrea L.	1.1	\$506.00
5/7/2024	Evaluate litigation hold issues and work on preliminary discovery and disclosure strategy; work on preliminary witness identification for client for use in disclosures and investigation of counterclaim allegations for defense of same.	Marconi, Andrea L.	0.7	\$322.00
5/7/2024	Review and analyze amended counterclaim filed by defendants and evaluate timing and preliminary strategy for reply.	Marconi, Andrea L.	0.8	\$368.00
5/7/2024	Review and edit documents and go over next steps.	Pearce, John M.	0.3	\$138.00
5/8/2024	Meet with A. Marconi to discuss amended counterclaim and strategize regarding potential motion to dismiss same; review and analyze	Maasch, Lyndsey	1.0	\$360.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
	counterclaim and strength of potential arguments for motion to dismiss same; draft Rule 26(a)(1) initial disclosure.			
5/8/2024	Make final edits to joint report and discovery plan and Rule 502 motion and order for filing with court and correspond with local counsel regarding filing of same.	Marconi, Andrea L.	0.2	\$92.00
5/8/2024	Review comments and additions from defense counsel to joint report and discovery plan and Rule 502 motion and order and correspond with counsel regarding same.	Marconi, Andrea L.	0.3	\$138.00
5/8/2024	Further develop strategy for response to amended counterclaim, including analysis of arguments to defeat fraudulent inducement claim, and begin to work on discovery planning and identification of witnesses and persons with relevant knowledge.	Marconi, Andrea L.	0.9	\$414.00
5/8/2024	Review and edit materials and forward same.	Pearce, John M.	0.6	\$276.00
5/9/2024	Compare alleged misrepresentations discussed in Defendants' counterclaim against provisions regarding same in the parties' agreements; research Tennessee law regarding parol evidence rule with respect to fraud claims; review agreements for terms regarding integration, signage, landlord certification, and credit card receipts to aid analysis in responding to counterclaim.	Maasch, Lyndsey	3.7	\$1,332.00
5/9/2024	Confer with Mr. Coleman regarding consent to Magistrate Judge and related issues and strategy.	Marconi, Andrea L.	0.2	\$92.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
5/9/2024	Review and revise draft of initial disclosure statement.	Marconi, Andrea L.	0.9	\$414.00
5/10/2024	Further research into Tennessee law regarding parol evidence rule with respect to fraud claims; prepare analysis of same and of potential arguments for motion to dismiss or future motion for summary judgment with respect to counterclaim.	Maasch, Lyndsey	2.2	\$792.00
5/13/2024	Review defendants' initial disclosure statement; review additional notes regarding defendants' counterclaims and assess potential affirmative defenses to raise in response to same.	Maasch, Lyndsey	0.7	\$252.00
5/13/2024	Evaluate potential client witnesses and persons with relevant knowledge for use in disclosures and discovery in case.	Marconi, Andrea L.	0.2	\$92.00
5/13/2024	Review and analyze defendants' initial disclosure statement.	Marconi, Andrea L.	0.2	\$92.00
5/13/2024	Review and make final edits to initial disclosure statement for service today.	Marconi, Andrea L.	0.5	\$230.00
5/13/2024	Review summary and analysis of agreement provisions related to counterclaim allegations and pertinent legal principles, including regarding parol evidence and evaluate arguments, affirmative defenses, and strategy for counterclaim reply, particularly to address fraud claim and develop potential affirmative defenses against individuals in the event they made misrepresentations they were not authorized to make.	Marconi, Andrea L.	1.0	\$460.00
5/13/2024	Analysis to Disclosures and update same, confer with client and send client email re: witnesses.	Pearce, John M.	0.7	\$322.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
5/14/2024	Draft reply to defendants' amended counterclaim.	Maasch, Lyndsey	2.8	\$1,008.00
5/16/2024	Review correspondence and additional factual background documents received regarding claims and counterclaims.	Marconi, Andrea L.	0.2	\$92.00
5/16/2024	Review and revise draft of reply to counterclaim.	Marconi, Andrea L.	1.1	\$506.00
5/17/2024	Further revise draft of reply to amended counterclaim.	Maasch, Lyndsey	0.9	\$324.00
5/17/2024	Correspond with defense counsel and separately with Mr. Coleman regarding magistrate consent and documentation regarding same to file with court and review and finalize filing.	Marconi, Andrea L.	0.2	\$92.00
5/17/2024	Further work on strategy for reply to counterclaim regarding fraudulent inducement claim and strategy for addressing factual allegations related to same.	Marconi, Andrea L.	0.3	\$138.00
5/17/2024	Review materials and go over next steps.	Pearce, John M.	0.5	\$230.00
5/20/2024	Work on updating matter, correspondence re: same.	Pearce, John M.	0.5	\$230.00
5/21/2024	Review and make final edits to draft reply to counterclaim regarding fraudulent inducement claim for addressing factual allegations related to same.	Marconi, Andrea L.	0.6	\$276.00
6/12/2024	Correspondence with opposing counsel regarding request for early mediation or settlement conference.	Marconi, Andrea L.	0.1	\$46.00



**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
6/12/2024	Work on preliminary discovery strategy for requests to Kaish and potential request for early mediation.	Marconi, Andrea L.	0.2	\$92.00
6/12/2024	Go over updates and alternatives, advise client.	Pearce, John M.	0.3	\$138.00
6/29/2024	Work on strategy for initial set of written discovery requests to defendants and counterclaim.	Marconi, Andrea L.	0.2	\$92.00
7/2/2024	Work on outline of topics for discovery, including potential requests for production, requests for admission, and interrogatories.	Maasch, Lyndsey	1.0	\$360.00
7/2/2024	Follow up correspondence with opposing counsel regarding potential early mediation or settlement conference.	Marconi, Andrea L.	0.1	\$46.00
7/3/2024	Review, revise and supplement detailed draft of outline of initial written discovery topics in case on complaint and counterclaims.	Marconi, Andrea L.	1.6	\$736.00
7/5/2024	Work further on list of potential discovery categories and review input from A. Marconi regarding same.	Maasch, Lyndsey	0.3	\$108.00
7/8/2024	Draft requests for production and interrogatories to defendants.	Maasch, Lyndsey	4.0	\$1,440.00
7/9/2024	Work on draft requests for production and interrogatories to defendants.	Maasch, Lyndsey	1.8	\$648.00
7/9/2024	Further develop additional written discovery topics for Kaish and review, revise, and supplement drafts of requests for production of documents and first set of interrogatories to Kaish.	Marconi, Andrea L.	3.0	\$1,380.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
7/10/2024	Correspond with local counsel regarding review of drafts of requests for production of documents and first set of interrogatories to Kaish and Mr. Bhamani for local rule and procedure requirements.	Marconi, Andrea L.	0.1	\$46.00
7/10/2024	Further work on revisions to drafts of requests for production of documents and first set of interrogatories to Kaish and Mr. Bhamani.	Marconi, Andrea L.	0.4	\$184.00
7/15/2024	Follow up correspondence with local counsel regarding review of drafts of requests for production of documents and first set of interrogatories to Kaish and Mr. Bhamani for local rule and procedure requirements.	Marconi, Andrea L.	0.1	\$46.00
7/16/2024	Finalize requests for production and interrogatories and work with L. Marble to send same to defendants.	Maasch, Lyndsey	0.4	\$144.00
7/16/2024	Review and make final edits to requests for production of documents and first set of interrogatories to serve on defendants today.	Marconi, Andrea L.	0.2	\$92.00
7/23/2024	Review local rules to assess any potential requirements regarding service of discovery requests and notice of same.	Maasch, Lyndsey	0.2	\$72.00
8/14/2024	Confirm deadline for defendants' discovery responses and no receipt of same.	Maasch, Lyndsey	0.1	\$36.00
8/15/2024	Correspond with Ms. Ballard regarding her request for extension of time to respond to discovery requests.	Marconi, Andrea L.	0.2	\$92.00
8/30/2024	Briefly review defendants' responses to requests for production and non-uniform interrogatories.	Maasch, Lyndsey	0.3	\$108.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
9/18/2024	Conduct detailed review and analysis of Defendants' responses for first set of interrogatories and requests for production, including detailed review of documents produced with same; create outline of summary of same and note any deficiencies in responses that will warrant follow up.	Maasch, Lyndsey	2.9	\$1,044.00
9/18/2024	(Paralegal) Review defendant's document production in response to discovery requests to verify they were not bates labeled for L. Maasch.	Mendoza, Yvonne	0.2	\$48.00
9/20/2024	Evaluate Kaish status on collection and next steps.	Pearce, John M.	0.5	\$230.00
9/23/2024	Consider deficiencies in Defendants' written discovery responses and strategize regarding how best to address such deficiencies and next steps.	Maasch, Lyndsey	0.5	\$180.00
9/23/2024	Review and analyze summary of documents produced by Kaish and outline of deficiencies with Kaish's initial discovery responses and prepare strategy for addressing same with defendant and court if needed.	Marconi, Andrea L.	1.1	\$506.00
9/24/2024	(Paralegal) Prepare and organize defendants' discovery responses documents in searchable format and combine emails and text messages for L. Maasch's review.	Mendoza, Yvonne	1.8	\$432.00
9/26/2024	Begin drafting letter to opposing counsel detailing deficiencies in defendants' written discovery responses.	Maasch, Lyndsey	1.8	\$648.00

**EXHIBIT 1**  
**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
9/27/2024	Work further on draft of letter to opposing counsel detailing discovery deficiencies, outlining specific responses to requests for production that were deficient and requesting appropriate supplementation.	Maasch, Lyndsey	2.7	\$972.00
9/30/2024	Work on addressing Defendants' discovery deficiencies and future discovery and depositions and needed.	Maasch, Lyndsey	0.3	\$108.00
9/30/2024	Go over discovery responses; email to client options.	Pearce, John M.	0.3	\$138.00
10/1/2024	Work further on draft of discovery deficiency letter to opposing counsel, detailing deficiencies and requesting supplementation of defendants' responses to requests for production and interrogatories.	Maasch, Lyndsey	1.5	\$540.00
10/7/2024	Review and analyze written communications produced by Defendants to assess level of involvement of identified Mac's representatives and determine potential witnesses to interview.	Maasch, Lyndsey	1.5	\$540.00
10/7/2024	Prepare for fact witness interviews of relevant Mac's employees.	Marconi, Andrea L.	0.3	\$138.00
10/7/2024	Check status and go over options internally, make recommendations.	Pearce, John M.	0.3	\$138.00
10/8/2024	Review and analyze summaries of expected testimony for potential current and former Mac's employees and relevant documents identified for each to prepare for witness interviews.	Marconi, Andrea L.	0.5	\$230.00
10/8/2024	Review and revise draft lengthy correspondence to defendants regarding deficiencies in initial written discovery responses and document production and demand to supplement same.	Marconi, Andrea L.	1.3	\$598.00

**EXHIBIT 1****FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
10/10/2024	Create witness interview outline for D. Rikitu.	Maasch, Lyndsey	1.4	\$504.00
10/10/2024	Create detailed timeline of key events and communications for quick reference during witness interview and use throughout case.	Maasch, Lyndsey	2.0	\$720.00
10/11/2024	Work further on witness interview outline for D. Rikitu.	Maasch, Lyndsey	0.8	\$288.00
10/11/2024	Prepare witness interview outline for J. Kreisel.	Maasch, Lyndsey	1.2	\$432.00
10/14/2024	Prepare witness interview outline for G. Dawson.	Maasch, Lyndsey	0.8	\$288.00
10/14/2024	Work further on witness interview outline for D. Soll.	Maasch, Lyndsey	1.9	\$684.00
10/17/2024	Correspond with Kaish's counsel regarding agreement to mediate and next steps.	Marconi, Andrea L.	0.1	\$46.00
10/17/2024	Review backgrounds of mediators proposed by Kaish as well as additional mediators proposed by local counsel and confer with local counsel regarding all proposed mediators.	Marconi, Andrea L.	0.4	\$184.00
10/21/2024	Evaluate additional potential mediators.	Marconi, Andrea L.	0.4	\$184.00
10/22/2024	Prepare witness interview outline for M. Angeles; prepare witness interview outline for M. Kimbrell.	Maasch, Lyndsey	2.2	\$792.00
10/23/2024	Work further on witness interview outline for M. Kimbrell; prepare witness interview outline for T. Maloney.	Maasch, Lyndsey	2.8	\$1,008.00
10/23/2024	Work on preparing for mediation in case; correspond with plaintiff's counsel regarding mediation issues.	Marconi, Andrea L.	0.3	\$138.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
10/25/2024	Work further on preparing for mediation in case and correspond with plaintiff's counsel regarding same.	Marconi, Andrea L.	0.1	\$46.00
10/28/2024	Continued work on mediation preparation and correspond with mediator's office and plaintiff's counsel to secure mediation.	Marconi, Andrea L.	0.4	\$184.00
10/29/2024	Further correspondence with mediator's office concerning upcoming mediation.	Marconi, Andrea L.	0.2	\$92.00
11/4/2024	Review mediation agreement and correspondence regarding position statement requirements and correspond with mediator regarding various issues for upcoming mediation.	Marconi, Andrea L.	0.4	\$184.00
11/12/2024	Review witness background and current employment status in preparation for witness interviews.	Maasch, Lyndsey	0.3	\$108.00
11/12/2024	Work on preparing for upcoming witness interviews and work on preparation for mediation.	Marconi, Andrea L.	0.4	\$184.00
11/18/2024	Strategize regarding mediation memorandum and outline arguments for same.	Maasch, Lyndsey	0.4	\$144.00
11/18/2024	Work on outline of arguments and evidence for submission with mediation brief.	Marconi, Andrea L.	0.4	\$184.00
11/20/2024	Work on draft of mediation position statement.	Maasch, Lyndsey	3.1	\$1,116.00
11/22/2024	Work further on draft of mediation position statement.	Maasch, Lyndsey	1.9	\$684.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
11/24/2024	Work further on draft of mediation position statement.	Maasch, Lyndsey	2.9	\$1,044.00
12/1/2024	Review and revise draft of mediation memorandum.	Marconi, Andrea L.	0.9	\$414.00
12/2/2024	Revise and refine draft of mediation position statement.	Maasch, Lyndsey	2.6	\$936.00
12/2/2024	Further revise and refine draft of mediation memorandum.	Marconi, Andrea L.	1.3	\$598.00
12/3/2024	Finalize mediation position statement and corresponding exhibits and send same to mediator in advance of upcoming mediation.	Maasch, Lyndsey	1.2	\$432.00
12/3/2024	Review and make final edits to of mediation memorandum.	Marconi, Andrea L.	0.9	\$414.00
12/5/2024	Work with resource center to assess potential other entities related to Mr. Bhamani.	Maasch, Lyndsey	0.2	\$72.00
12/6/2024	Prepare for upcoming mediation.	Marconi, Andrea L.	0.5	\$230.00
12/9/2024	Review and analyze asset search reports for entities affiliated with Mr. Bhamani in advance of mediation.	Maasch, Lyndsey	0.4	\$144.00
12/9/2024	Review mediation statement and pertinent documents to prepare for tomorrow's mediation.	Marconi, Andrea L.	0.6	\$276.00
12/10/2024	Strategize regarding how to put pressure on Defendants moving forward in litigation; email to opposing counsel resending discovery deficiency letter and demanding response to same.	Maasch, Lyndsey	0.6	\$216.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
12/10/2024	Develop strategy for ratcheting up pressure on defendants in litigation, including motion to compel on discovery deficiencies if not remedied, notices of deposition, and other next steps in case.	Marconi, Andrea L.	0.3	\$138.00
12/10/2024	Attend mediation and debrief with Mr. Topham and J. Pearce afterwards to discuss strategy for moving forward in litigation.	Marconi, Andrea L.	2.1	\$966.00
12/11/2024	Review mediator's report from mediation filed with court and confer with Mr. Sweetnam regarding local rules and procedures that can be used to increase pressure on defendants in litigation to force bankruptcy or settlement.	Marconi, Andrea L.	0.3	\$138.00
12/12/2024	Begin draft of 30(b)(6) topics for corporate representative deposition of Kaish.	Maasch, Lyndsey	0.2	\$72.00
12/13/2024	Prepare deposition notices, including list of 30(b)(6) topics, for Bhamani and Kaish.	Maasch, Lyndsey	2.2	\$792.00
12/16/2024	Revise draft deposition notices to Bhamani and Kaish and add requests for production of documents relating to financial condition to same.	Maasch, Lyndsey	0.8	\$288.00
12/16/2024	Legal research regarding subpoenas and requests for production of documents in conjunction with deposition notices and assess benefits and drawbacks of same.	Maasch, Lyndsey	1.0	\$360.00
12/16/2024	Evaluate whether to add requests for documents to defendants' deposition notices and assess specific potential requests, including relating to defendants' financial condition.	Marconi, Andrea L.	0.4	\$184.00



**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
12/17/2024	Research regarding discovery dispute procedures under federal rules and local rules to assess next steps regarding Defendants' deficient discovery responses and potential motion to compel.	Maasch, Lyndsey	1.4	\$504.00
12/17/2024	Review and make further comments to revised deposition notices and review and revise new requests for documents to bring to deposition and work on strategy for upcoming motion to compel further discovery responses from Kaish.	Marconi, Andrea L.	0.3	\$138.00
12/18/2024	Review and analyze supplemental discovery responses from Defendants and assess deficiencies in same.	Maasch, Lyndsey	0.8	\$288.00
12/19/2024	Review summary of supplemental documents produced by Kaish and evaluate whether any further meet and confer prior to motion to compel is necessary.	Marconi, Andrea L.	0.6	\$276.00
1/6/2025	Review motion to withdraw as counsel from defendants' counsel and evaluate strategy for case prosecution in light of same as well as work on need to extend deposition dates.	Marconi, Andrea L.	0.1	\$46.00
1/7/2025	Email to Mr. Coleman advising of defendants' counsel's motion to withdraw and requesting input regarding same and next steps.	Maasch, Lyndsey	0.1	\$36
1/7/2025	Strategize regarding next steps in discovery and with depositions in light of opposing counsel's motion to withdraw as counsel for defendants.	Maasch, Lyndsey	0.4	\$144.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
1/7/2025	Work on strategy for response to motion to withdraw as counsel from defendants' counsel and how to proceed with moving depositions and other discovery strategy in light of same.	Marconi, Andrea L.	0.1	\$46.00
1/8/2025	Prepare notice of non-opposition to motion to withdraw and email with Mr. Coleman regarding same.	Maasch, Lyndsey	0.3	\$108.00
1/8/2025	Review and revise draft notice of non-opposition to defense counsel's motion to withdraw for filing with court.	Marconi, Andrea L.	0.1	\$46.00
1/9/2025	Review correspondence from court regarding desire to set hearing on defense counsel's motion to withdraw as counsel and exchange correspondence with all counsel to set up same.	Marconi, Andrea L.	0.2	\$92.00
1/10/2025	Correspondence with defense counsel regarding hearing on motion to withdraw as counsel.	Marconi, Andrea L.	0.1	\$46.00
1/13/2025	Email correspondence with opposing counsel, J. Coleman, and the court's clerk regarding hearing on defendants' motion to withdraw and relatedly regarding continuing upcoming depositions.	Maasch, Lyndsey	0.3	\$108.00
1/13/2025	Further correspondence with defense counsel regarding hearing on motion to withdraw as counsel; evaluate further strategy concerning defendants' scheduled depositions and re-noticing same once counsel is appointed; review court order setting hearing and correspond with court clerk regarding same.	Marconi, Andrea L.	0.2	\$92.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
1/21/2025	Work on strategy for pushing forward with depositions after defendants obtain new counsel.	Marconi, Andrea L.	0.1	\$46.00
1/23/2025	Prepare outline for upcoming hearing on Defendants' counsel's motion to withdraw.	Maasch, Lyndsey	1.1	\$396.00
1/24/2025	Review court order on defendants' motion to withdraw.	Marconi, Andrea L.	0.1	\$46.00
1/24/2025	Evaluate strategy for next steps in case after court hearing, including potential stipulated judgment offer and other ways to try and get to judgment more quickly.	Marconi, Andrea L.	0.1	\$46.00
1/24/2025	Prepare for and attend hearing on defendants' counsel motion to withdraw and to discuss other case management matters with court.	Marconi, Andrea L.	0.9	\$414.00
2/24/2025	Strategize regarding next steps in light of defendants' failure to obtain counsel and notify the court by the deadline, including potential motion for default judgment.	Maasch, Lyndsey	0.6	\$216.00
2/24/2025	Evaluate potential next steps in case in light of defendants not retaining new counsel as ordered by court.	Marconi, Andrea L.	0.1	\$46.00
2/25/2025	Review Rule 55 and evaluate use of default judgment under case circumstances when defendants have initially answered but are no longer defending case or prosecuting counterclaims.	Marconi, Andrea L.	0.3	\$138.00
2/26/2025	Assess strategy for next steps, including motion for default judgment, and conduct legal research regarding procedural requirements and next	Maasch, Lyndsey	0.8	\$288.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
	steps for obtaining default judgment on affirmative claims and defendants' counterclaims.			
2/26/2025	Analyze court order regarding withdrawal of counsel; research regarding default judgment and dismissal of counterclaims in light of same.	MacCollum, Claire	1.5	\$540.00
2/28/2025	Review and analyze research regarding procedural mechanisms for default judgment and dismissal of counterclaims for failure to prosecute.	Maasch, Lyndsey	0.5	\$180.00
2/28/2025	Prepare draft application for entry of default against defendants and supporting affidavit.	Maasch, Lyndsey	1.2	\$432.00
3/4/2025	Review and analyze legal research conducted in support of motion for default judgment and defendants' failure to prosecute counterclaims under factual circumstances of case.	Marconi, Andrea L.	0.3	\$138.00
3/4/2025	Review and draft application for entry of default against defendants for failure to defend and review and revise supporting affidavit.	Marconi, Andrea L.	0.4	\$184.00
3/5/2025	Review and further revise draft application for entry of default against defendants for failure to defend and review and supporting affidavit.	Marconi, Andrea L.	0.4	\$184.00
3/7/2025	Review final application for entry of default against defendants for failure to defend and review and supporting affidavit as filed and communications with clerk of court regarding entry of default.	Marconi, Andrea L.	0.2	\$92.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
3/11/2025	Assess requirements for service of application for entry of default on defendants and next steps for same.	Maasch, Lyndsey	0.8	\$288.00
3/11/2025	Review notice from court regarding default service needed and work on supplemental filing needed with court.	Marconi, Andrea L.	0.2	\$92.00
3/12/2025	Draft certificate of service regarding application for entry of default.	Maasch, Lyndsey	0.7	\$252.00
3/18/2025	Begin drafting motion for entry of default judgment against defendants.	Maasch, Lyndsey	1.2	\$432.00
3/24/2025	Review upcoming case deadlines and evaluate strategy for continuing same while default application is pending, including confer with local counsel regarding required filings and next steps.	Marconi, Andrea L.	0.5	\$230.00
3/25/2025	Review and revise draft motion to extend discovery deadlines while default application is pending and confer with Mr. Coleman regarding finalizing and filing of same.	Marconi, Andrea L.	0.2	\$92.00
3/28/2025	Review and exchange correspondence with Mr. Coleman regarding entry of default by court and interplay with motion filed to extend court deadlines.	Marconi, Andrea L.	0.1	\$46.00
3/31/2025	Review and analyze case law for use in motion for default judgment and motion for dismissal of counterclaims for failure to prosecute and outline arguments for both motions.	Marconi, Andrea L.	1.7	\$782.00
4/1/2025	Draft Motion for Default under Rule 55; Draft Motion to Dismiss Counterclaims under Rule 41 motion.	MacCollum, Claire	1.2	\$432.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
4/1/2025	Correspond with Mr. Coleman regarding local rules and procedures for motion for default judgment and motion for dismissal of counterclaims for failure to prosecute.	Marconi, Andrea L.	0.2	\$92.00
4/2/2025	Continue drafting Rule 55 Motion, specifically statement of facts and background; Continue drafting Rule 41 Motion, specifically background and procedural history.	MacCollum, Claire	4.5	\$1,620.00
4/2/2025	Work on refining argument strategy for motion for default judgment and motion for dismissal of counterclaims for failure to prosecute.	Marconi, Andrea L.	0.4	\$184.00
4/4/2025	Evaluate ability to recover attorneys' fees on motion for failure to prosecute counterclaims.	Marconi, Andrea L.	0.3	\$138.00
4/7/2025	Research regarding recovery of attorneys' fees under Rules 41 and 55; research regarding sum certain nature of attorneys' fees; draft summary regarding the same.	MacCollum, Claire	.7	\$252.00
4/18/2025	Revise and supplement motion for entry of default judgment and review and analyze cited case law.	Marconi, Andrea L.	3.3	\$1,518.00
4/18/2025	Review and analyze federal and local court rules for use in preparing motion for entry of default judgment.	Marconi, Andrea L.	0.4	\$184.00
4/25/2025	Work on attorneys' fee affidavit and supporting documents needed to support reasonableness of fees and correspond with local counsel regarding need for their fee information to include for recovery in motion.	Marconi, Andrea L.	0.4	\$184.00

**EXHIBIT 1**  
**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
4/28/2025	Review backup documentation for attorneys' fees application and begin to work on same.	Marconi, Andrea L.	0.2	\$92.00
4/28/2025	Work on further revisions and refine arguments of motion for default judgment and review and analyze additional relevant case law cited in motion, including additional case law cited in support of recovery of attorneys' fees, costs, and pre- and post-judgment interest as well as sum certain damages.	Marconi, Andrea L.	4.6	\$2,116.00
4/28/2025	(Paralegal) Draft Bill of Costs and Affidavit of Andrea Marconi in Support of Bill of Costs.	Mendoza, Yvonne	2.4	\$576.00
4/29/2025	Revise affidavit for attorneys' fees; revise affidavit for sum certain fees; revise motion to dismiss counterclaims, specifically regarding failure to prosecute; continue revising motion for default judgment.	MacCollum, Claire	6.5	\$2,340.00
4/29/2025	(Paralegal) Draft Statement of Fees for Sweetnam, Schuster & Schwartz.	Mendoza, Yvonne	2.8	\$672.00
4/29/2025	Review and revise motion to dismiss counterclaims for failure to prosecute and review case law cited in motion.	Marconi, Andrea L.	1.9	\$874.00
4/29/2025	Work on obtaining local counsel's attorneys' fees incurred and Fennemore fees for use in motion and fee affidavit, including confer with Mr. Sweetnam regarding same, and review and analyze fee information from Fennemore and evaluate where fees need to be reduced when seeking recovery due to write offs.	Marconi, Andrea L.	0.6	\$276.00

**EXHIBIT 1**

**FENNEMORE STATEMENT OF FEES**

<b>DATE WORK PERFORMED</b>	<b>DESCRIPTION</b>	<b>TIMEKEEPER</b>	<b>HOURS BILLED</b>	<b>AMOUNT</b>
4/29/2025	Continue revising and refining lengthy default judgment motion.	Marconi, Andrea L.	2.7	\$1,242.00
4/30/2025	Revise motion to dismiss counterclaims; draft fee affidavit for attorneys' fees; draft and revise affidavit for sum certain fees; conference with V. Godfrey regarding sum certain damages; draft proposed default judgment; analyze statement of fees.	MacCollum, Claire	2.3	\$828.00
4/30/2025	Review and revise draft of sum certain affidavit to support default judgment motion and damages claim.	Marconi, Andrea L.	2.1	\$966.00
4/30/2025	Further revise and refine motion to dismiss counterclaims for failure to prosecute.	Marconi, Andrea L.	0.8	\$368.00
5/1/2025	Revise fee affidavit; coordinate with V. Godfrey regarding attorney fee calculations.	MacCollum, Claire	0.8	\$288.00
5/6/2025	Review and revise draft of attorneys' fee affidavit to support default judgment motion and fee claim, as well as review and revise Sweetnam firm and Fennemore statement of fees for attaching to attorneys' fee affidavit; further revise and refine motion for default judgment, including to get motion within page limits set by court and refine legal arguments; review additional case law for citation for attorneys' fee request; further revise and refine draft of sum certain affidavit.	Marconi, Andrea L.	3.7	\$1,702.00
5/10/2025	Review court's order to show cause and evaluate impact on default motion soon to be filed, including confer with local counsel regarding same.	Marconi, Andrea L.	0.3	\$138.00
	<b>TOTAL</b>		<b>294.7</b>	<b>\$118,806.00</b>